

STAND. COM. REP. NO. **1202**

Honolulu, Hawaii

APR 01 2015

RE: S.R. No. 105
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Hawaiian Affairs and Human Services and Housing, to which was referred S.R. No. 105 entitled:

"SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSULT THE NA KUPUNA TRIBUNAL TO FORM A WORKING GROUP TO DETERMINE HOW THE NA KUPUNA TRIBUNAL CAN BEST ASSIST THE COURTS AND NATIVE HAWAIIAN CHILDREN IN MATTERS RELATING TO CHILD CUSTODY AND NATIVE HAWAIIAN CHILDREN WHO HAVE BEEN REMOVED FROM THEIR HOMES,"

beg leave to report as follows:

The purpose and intent of this measure is to request the Department of Human Service to consult with the Na Kupuna Tribunal to form a working group to include various identified stakeholders to:

- (1) Determine how the Na Kupuna Tribunal can best assist the courts and Child Protective Services with regard to the placement of Native Hawaiian children who have been removed from their homes;
- (2) Determine how the Na Kupuna Tribunal can best assist Native Hawaiian children who have been removed from their homes; and
- (3) Review the manner in which courts handle child custody cases involving Native Hawaiian children.



Your Committees received testimony in support of this measure from the Association of Hawaiian Civic Clubs and Na Kupuna Tribunal. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that the Department of Human Services testified that kupuna groups have previously worked with courts and Child Protective Services regarding child custody matters involving Native Hawaiian children. While that was a positive working relationship, kupuna groups do not currently actively participate in child custody matters. Further, the Department of Human Services testified that while it supports the intent of this measure, it does not have sufficient resources to organize and administer the working group as called for in this measure. The Department of Human Services therefore recommended that the working group be organized and administered by the Hawaii State Legislature Keiki Caucus.

Your Committees have amended this measure by:

- (1) Removing the Department of Human Services as the organizer and administrator of the working group and replacing it with the Hawaii State Legislature's Keiki Caucus;
- (2) Amending the title accordingly;
- (3) Removing references to the Na Kupuna Tribunal and replacing it with the Legacy Coalition;
- (4) Adding the Director of Human Services to the list of stakeholders to be invited to participate in the working group; and
- (5) Making technical nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Human Services and Housing that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 105, as amended herein, and recommend that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as S.R. No. 105, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Human Services and Housing,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair

Maile S.L. Shimabukuro

MAILE S.L. SHIMABUKURO, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SR 105	Committee Referral: HWN / HSH, JDL	Date: 02/30/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
INOUYE, Lorraine R.	✓			
KAHELE, Gilbert	✓			
SLOM, Sam	✓			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: _____ 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

